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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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COMMISSIONERS

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MIKE GLEASON
KRISTIN K. MAYES
GARY PIERCE

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY

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IN THE MATTER OF THE APPLICATION OF
GARDNER WATER COMPANY FOR
APPROVAL OF THE SALE AND TRANSFER OF
ITS CERTIFICATE OF CONVENIENCE AND
NECESSITY TO UTILITY SYSTEMS, LLC.

DOCKET NO. W-03880A-06-0298
DOCKET NO. W-20459A-06-0298

PROCEDURAL ORDER

BY THE COMMISSION:

On May 1, 2006, Gardner Water Company ("GWC"), filed with the Arizona Corporation Commission ("Commission") an application to transfer its Certificate of Convenience and Necessity ("CC&N") to Utility Systems, LLC ("Utility") and for approval to sell its assets to Utility.

On June 1, 2006, the Commission's Utilities Division Staff ("Staff") filed a letter informing the Applicant that the application was insufficient.

On October 20, 2006, Staff filed a letter informing the Applicant that the application was administratively complete.

On November 7, 2006, by Procedural Order, the hearing in this matter was set to convene beginning February 7, 2007, and other procedural deadlines were determined.

On November 7, 2007, a full public hearing was held by the Commission at its offices in Phoenix, Arizona before a duly authorized Administrative Law Judge of the Commission. Staff appeared through counsel. Mr. Gerald Lendzion and Mr. Jeffery Daniels appeared on behalf of GWC and Utility, respectively, and presented testimony. At the conclusion of the hearing, the matter was taken under advisement pending submission of Late-Filed exhibits and a Recommended Opinion and Order to the Commission.

IT IS THEREFORE ORDERED that GWC shall file with Docket Control, as a Late-Filed exhibit, documentation from the Arizona Department of Environmental Quality ("ADEQ") demonstrating that its PWS ID #04-038 well is delivering water that meets water quality standards.

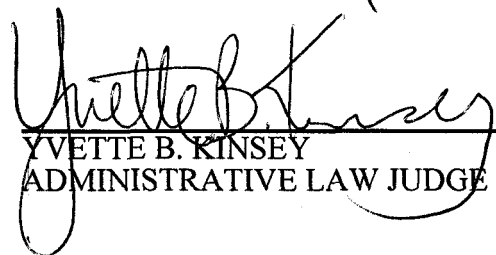
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1 IT IS FURTHER ORDERED that Staff shall file, with Docket Control, a Response and/or
2 Supplemental Staff Report within 30 days of GWC's filing its documentation from ADEQ.

3 IT IS FURTHER ORDERED that the time clock is suspended accordingly.

4 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
5 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

6 DATED this 12th day of February, 2007.

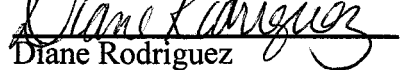
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YVETTE B. KINSEY
ADMINISTRATIVE LAW JUDGE

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12 Copies of the foregoing mailed/delivered
this 12th day of February, 2007 to:

13 Gerald Lenzion
14 GARDNER WATER COMPANY
2303 E. Heatherbrae Drive
15 Phoenix, AZ 85016

ARIZONA REPORTING SERVICE, INC.
2627 N. Third Street, Ste. Three
Phoenix, Arizona 85004-1104

16 Jeffery Daniels
17 Utility Systems, LLC
HC2 Box 164-H
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Secretary to Yvette B. Kinsey

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21 Ernest G. Johnson, Director
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